

STATE OF NEVADA

BRIAN SANDOVAL
Governor

Members of the Board

PHILIP E. LARSON, Chairman
SANDRA MASTERS, Vice-Chairman
BRENT C. ECKERSLEY, ESQ., Board Member



BRUCE BRESLOW
Director

BRUCE K. SNYDER
Commissioner

YVONNE V. MARTINEZ
Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD**

2501 E. Sahara Avenue, Suite 203, Las Vegas, Nevada 89104
(702) 486-4504 • Fax (702) 486-4355
www.emrb.state.nv.us

May 8, 2014

**MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

A board meeting of the Local Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on **Tuesday, May 6, 2014**, at the hour of 8:00 a.m. and continuing on **Wednesday, May 7, 2014** at the **Local Government Employee-Management Relations Board, 2501 E. Sahara Avenue, Suite 203, Las Vegas, Nevada.**

The following Board members were present:

Philip E. Larson, Chairman
Sandra Masters, Vice - Chairman
Brent C. Eckersley, Esq., Board Member

Also present:

Bruce K. Snyder, EMRB Commissioner
Scott Davis, Esq., Deputy Attorney General

The Agenda:

- Item 1** The Board meeting was called to order by Philip E. Larson, Chairman, on Tuesday, May 6, 2014.
- Item 2** Public Comment.
No public comment was offered.
- Item 3** Approval of the Minutes.
In one motion the Board approved the minutes as presented for the following two meetings: (1) the Public Hearing for Proposed Permanent Regulation R043-13 held on March 11, 2014 and (2) the Board meeting held on March 11 & 12, 2014.

Item 4 Hearing.

Case No. A1-046095, Nye County Management Employees Association v. Nye County. ***Commissioner Snyder read correspondence from the attorneys of record that a tentative agreement to settle the case had been reached and that the parties will be submitting a Stipulation and Order to Dismiss in time for consideration by the Board at its next meeting and therefore requested that the hearing be vacated. Upon motion the Board so agreed.***

Item 5 Deliberations/Discussions/Pronouncements of Orders.

A. Stipulations.

1. Case No. A1-046066, Teddi Biggs v. City of Las Vegas. ***Upon motion, the Board granted the Stipulation and Order to Dismiss With Prejudice, as presented, with each side responsible for its own attorney's fees and costs.***
2. Case No. A1-046068, Elko County Employees Association, Nevada Classified School Employees and Public Work Association, Local 6181 v. Elko County. ***Upon motion, the Board granted the Stipulation to Delay Filing of Pre-Hearing Statements, thus extending the deadline to May 6, 2014.***
3. Case No. A1-046076, Las Vegas City Employees Association v. City of Las Vegas. ***Upon motion, the Board granted the Stipulation and Order for Dismissal With Prejudice, as presented, with each side responsible for its own attorney's fees and costs.***
4. Case No. A1-046106, Michael Turner v. Clark County School District. ***Upon motion, the Board granted the Stipulation and Order to Continue Hearing, vacating the hearing scheduled for July 8-10, 2014 and noting that the parties in the stipulation waived the requirement under NRS 288.110(2) that the hearing be held within 180 days. The Board also noted the recommendation of the parties as to when the case should instead be heard but left it up to the Commissioner to select a date for hearing the case at the appropriate time.***
5. Case No. A1-046113, Education Support Employees Association and Police Officers Association of the Clark County School District v. Clark County School District. ***Upon motion, the Board granted the Stipulation to Extend Time to File Pre-Hearing Statements, as presented, thus extending the deadline to May 7, 2014.***
6. Case No. A1-046114, Tammy Bonner & Bachera Washington v. City of North Las Vegas. ***Upon motion, the Board granted the Stipulation and Order to Extend Time to File Answer, as presented, thus extending the deadline to May 15, 2014.***

7. Case No. A1-046115, Daniel Woyciehowsky v. City of Sparks and Sparks Police Department. *Upon motion, the Board granted under its limited deferral doctrine the Stipulation to Delay Filing of Answer or Other Responsive Pleading, as presented, thus extending the deadline to twenty calendar days following the exhaustion of the Complainant's contractual remedies, which at such time the parties shall also file a joint status report.*

B. Motions and Other Pleadings.

1. Case No. A1-046097, Thomas Knickmeyer v. Clark County Marshals Association. *Upon motion, the Board stayed this case pending resolution of the judicial review related to Case No. A1-046058, Clark County Deputy Marshals Association v. Clark County.*
2. Case No. A1-046102, North Las Vegas Police Supervisors Association, Leonard Cardinale, and Wilson Crespo v. City of North Las Vegas, Tony Scott, and Justin Roberts. *Upon motion, the Board denied Complainants' motion to amend the Complaint, stating that it did not meet the requirements of NAC 288.235.*
3. Case No. A1-046109, Nicholas Eason v. Clark County. *Upon motion, the Board denied Respondent's motion to dismiss the complaint, finding that there are unresolved factual questions that preclude dismissal at this time.*
4. Case No. A1-046110, Laura Conklin v. City of Reno. *Upon motion, the Board, under its limited deferral doctrine, agreed to stay this case pending the exhaustion of the Complainant's contractual remedies, which at such time the parties shall file a joint status report within twenty days thereof, addressing whether further proceedings are warranted.*
5. Case No. A1-046111, Justin Simo v. City of Henderson and Henderson Police Officers Association. *Upon motion, the Board decided to request additional information from the parties, to be provided by May 23, 2014, before ruling on the City of Henderson's motion to dismiss.*
6. Case No. A1-046111, Justin Simo v. City of Henderson and Henderson Police Officers Association. *In the same motion as for the previous item, the Board decided to request additional information from the parties, to be provided by May 23, 2014, before ruling on the Henderson Police Officers Association's motion to dismiss.*

7. Case No. A1-046112, Service Employees International Union, Local 1107 v. Clark County. *Commissioner Snyder read correspondence from the attorneys of record that a tentative agreement to settle the case had been reached and that the parties will be submitting a Stipulation and Order to Dismiss in time for consideration by the Board at its next meeting and therefore requested that the Board postpone consideration of Respondent's motion to dismiss until a future meeting. Upon motion the Board so agreed.*
8. Case No. A1-046117, In Re: Southern Nevada Regional Housing Authority and SEIU, Local 1107. *Upon motion, the Board declared as follows: (1) that its prior decision in Order No. 204 is reaffirmed; (2) that even though there may be separate bargaining teams for supervisors and non-supervisory employees, nothing in Order No. 204 or the Act requires separate bargaining sessions; (3) that neither are joint negotiating sessions required but rather are simply permissible when agreed to both by the employer and all involved negotiating teams and are otherwise reasonable; and (4) that no party can require or insist upon joint negotiating sessions as a condition to meet and bargain.*

- C. Cases in the Queue for Possible Future Hearing.
Upon motion, the Board agreed to hear the following cases: (1) Case No. A1-046098, Washoe County Principals' Association v. Washoe County on September 9-10, 2014 in Reno; (2) Case No. A1-046105, Douglas County Support Staff Association v. Douglas County, September 11, 2014 in Carson City; and (3) Case No. A1-046091, Jarod Barto et al. v. City of Las Vegas, October 14-16, 2014 in Las Vegas; and furthermore to table until the next meeting the deliberation and decision on all other cases as listed in the agenda as being in the queue.

Item 6 Schedule of Board meetings

The next Board meeting is scheduled for June 10, 11 & 12, 2014 (Carson City) – Hearing scheduled Case No. A1-046099, July Wright v. Lyon County.

There is no meeting scheduled for July.

August 19, 20 & 21, 2014 (Las Vegas) – Hearing scheduled Consolidated Case No. A1-045846 - A1-045864, Deborah Boland, M.D., a Local Government Employee and member of the UMC Physicians' Bargaining Unit of Nevada Service Employees Union, SEIU Local 1107, AFL-CIO, CLC, et al. vs. Nevada Service Employees Union, SEIU Local 1107, AFL-CIO and Service Employees International Union, AFL-CIO, CLC.

September 9 & 10, 2014 (Reno) – Hearing scheduled Case No. A1-046098, Washoe County Principals' Association v. Washoe County School District.

September 11, 2014 (Carson City) – Hearing scheduled Case No. A1-046105, Douglas County Support Staff Association v. Douglas County School District.

annual filing.

E. Nevada Law Library on CD.

Commissioner Snyder presented comments received from the user community regarding the proposal of placing the orders on the Nevada Law Library on CD. He also gave a report as to the status of converting old orders to the proper format for submission to the Legislative Counsel Bureau for inclusion on that product. A discussion ensued on whether this might be an appropriate time to develop a new numbering scheme for both cases and orders. It was the consensus of the Board that the Commissioner and Deputy Attorney General further discuss this issue and report back at a subsequent meeting.

F. Other Administrative Matters.

Commissioner Snyder mentioned that the proposed regulations are still waiting for approval by the Legislative Commission, which has yet to schedule its meeting in May.

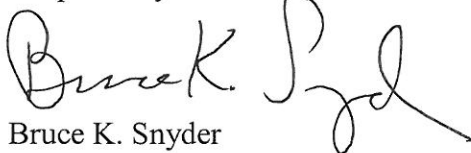
Commissioner Snyder presented comments received from attorneys regarding a proposed projector purchase. He also commented that the proposed new building in Las Vegas for Business & Industry would have common hearing rooms equipped with audio-visual equipment. It was the consensus of the Board not to purchase a projector at this time.

Commissioner Snyder also mentioned that the office would be closed much of Thursday, May 15th in order for both staff members to attend training on how to load data into the agency's new website, which is under development. Arrangements would be made for the office next door to accept pleadings that day.

Item 10 Items for Future Agendas.
None.

Item 11 Public Comment.
No public comment was offered.

Respectfully submitted,



Bruce K. Snyder
EMRB Commissioner